

REMARKS/ARGUMENTS

Claims 1, 2 and 6-11 are currently pending in this application, as amended. By the present amendment, claim 1 has been amended and new claim 11 has been added. Applicants submit that no new matter has been introduced into the application by the present amendments.

Telephone Interview

The undersigned discussed this application with the Examiner during telephone interviews on March 24 and April 3, 2009. During the telephone interviews, further limitations to claim 1 were discussed in view of the prior art to clarify the respective positions for each pair of the intrinsic weft binder yarns where the pair members follow complementary identical paths in which the two pair members alternate with each other to appear in turn in the PS layer and the MS layer and cooperate to define a single continuous weft yarn path, and in which the members of each pair are in adjacent contact at each exchange point. This is in contrast to U.S. 4,921,750 to Todd where no single continuous weft yarn path is defined by any pair of intrinsic weft binder yarns in Todd, and there is no suggestion of contact at the exchange points. The Examiner indicated that the amendments in claim 1, which were discussed, should define over Todd.

Additionally, the limitations in new claim 11 were also discussed and define over Todd due to the two pair members defining a respective plane extending in the weft direction in which the pair members cooperate to define a continuous weft yarn path in both the PS layer and the MS layer, as well as the members of each pair being in adjacent contact at each exchange point

The undersigned wishes to thank the Examiner for the courtesies extended during the telephone interview.

Claim Rejections – 35 U.S.C. §103

In the Action, claims 1, 2 and 6-10 were rejected under 35 U.S.C. §103 as unpatentable over the combination of U.S. 4,921,750 to Todd in view of any one of U.S. 4,376,013 to Wang or U.S. 5,555,917 to Quigley.

As discussed above, the claim 1 is clearly differentiated over Todd in that Todd fails to disclose all of the weft yarns comprise pairs of intrinsic weft binder yarns and that for each pair of the intrinsic weft binder yarns, the pair members follow complementary identical paths in which the two pair members alternate with each other to appear in turn in the PS layer and the MS layer and cooperate to define a single continuous weft yarn path, and in which the members of each pair are in adjacent contact at each exchange point.

It is clear that Todd lacks these requirements as can be seen from Todd, Figure 7. Neither U.S. 4,376,013 or U.S. 5,555,917 address this deficiency. Accordingly, claim 1 should be patentable over Todd.

Claims 2 and 6-10 depend directly or indirectly from claim 1 and should be similarly patentable.

As to new claim 11, this claim also defines over the cited combination as none of the references disclose all of the weft yarns comprising pairs of intrinsic weft binder yarns, in which for each pair of the intrinsic weft binder yarns, the two pair members define a respective plane extending in the weft direction in which the pair members cooperate to define a continuous weft yarn path in both the PS layer and the MS layer. Further, the cited art lacks the teaching of the members of each pair being in adjacent contact at each exchange point.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place the present application in condition for allowance, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing Amendments and Remarks, Applicants respectfully submit that the present application, including claims 1, 2 and 6-11, is in condition for allowance, and a Notice to that effect is respectfully requested.

Respectfully submitted,

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